

Dated: 4/18/2024



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	Case No. 15-05928
KATHY JO MILER,)	Chapter 13
)	Judge Mashburn
Debtor.)	

ORDER DENYING MOTION TO WITHDRAW UNCLAIMED FUNDS

This matter is before the Court on the Motion to Withdraw Unclaimed Funds (the “Motion”) [Docket No. 91] and the Acting United States Trustee’s Objection to the Motion [Docket No. 95]. At the hearing, the Chapter 13 Trustee, Kathy Jo Miler (the “Debtor”), and counsel for the United States Trustee appeared. The Chapter 13 Trustee and counsel for the U.S. Trustee questioned the Debtor under oath. The Debtor testified as follows:

1. Prior to contact from counsel for the U.S. Trustee in March of 2024, Ms. Miler was unaware of the unclaimed funds submitted to the Clerk in the amount of \$12,475.89.
2. Ms. Miler did not file the Motion to Withdraw Unclaimed Funds on December 4, 2023 [Docket No. 88].
3. Ms. Miler did not file the second Motion to Withdraw Unclaimed Funds on February 21, 2024 [Docket No. 91].
4. Ms. Miler has not used the name Kathy Jo Miller, as purported in the “Statement of Proof of Identity” attached to the Motion.

Based on the credible testimony of the Debtor and the entire record, the Court finds that the Motion was not filed by the Debtor and is therefore **DENIED**.

Nothing in this Order shall be construed to prevent the Debtor from filing a motion to withdraw unclaimed funds by following the instructions located at www.tnmb.uscourts.gov.

IT IS SO ORDERED.

This order was signed and entered electronically as indicated at the top of the first page.
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Approved for Entry:

PAUL RANDOLPH
Acting U.S. Trustee, Region 8

/s/ Rebecca J. Yielding
Rebecca J. Yielding
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This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.